

**THE SEWER BOARD OF THE CITY OF NEW ALBANY, INDIANA HELD A MEETING IN THE 3<sup>RD</sup> FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING, NEW ALBANY, INDIANA ON WEDNESDAY, JULY 5, 2006 AT 3:35 P.M.**

**PRESENT:** Chairman Mayor James Garner, Vice Chairman Bill Utz, Mark Seabrook, Todd Solomon and Larry Kochert.

**OTHERS:** Attorney Greg Fifer, Brian Dixon, EMC, Tina Haley, and Deputy City Clerk Vicki Glotzbach.

**CALL TO ORDER:**

**Mayor Garner called the meeting to order as 3:35 p.m.**

**PLEDGE OF ALLEGIANCE:**

**APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:**

**Mr. Solomon motioned to approve the minutes from the June 20, 2006 meeting, Mr. Kochert second, all voted in favor.**

**COMMUNICATIONS - PUBLIC:**

**Ms. Johnson** asked if there were any problems with the bar screen.

**Mr. Dixon** replied that the testing went fine and stated that one of the stems on the gate is a little short and he is looking into it and does not have an answer for that right now.

**Mayor Garner** stated that if we have a significant rain fall right now then we could have a problem because is it still working around the old gate number one.

**Ms. Johnson** asked when the value engineering study.

**Mr. Fifer** stated that it was done prior to the capacity assurance plan project.

**Ms. Johnson** asked if it was required by SRF.

**Mr. Sartell** replied no.

**Ms. Johnson** asked about the problem area at 500 block of East Elm Street that is settling again.

**Mr. Seabrook** stated that if it is a storm water problem, then it would be paid out of stormwater.

**Mr. Utz** asked if the area is settling then does that mean that the line is also.

**COMMUNICATIONS - CITY OFFICIALS**

**SEWER ADJUSTMENTS:**

**Adjustments will be presented at the July 18, 2006 meeting.**

**NEW BUSINESS:**

**Item # 1 - Mark Winternhimer re: Signing of Plat for Phase II of Autumn Springs**

**Mr. Winternhimer** was present to request signatures for plat.

**The board signed his plat.**

**Item #2 - Edward Scott re: tap in on existing line at Lewis and West streets**

**Mr. Scott** explained to the board where he would like to tap in to the existing lines.

**Mr. Dixon** helped explain the drawing that Mr. Scott presented and what connections he wanted to make.

**Mr. Fifer** came to the conclusion that Mr. Scott would need to receive credits but could go ahead and pull a permit on Lot G.

**Mr. Utz** asked Mr. Scott if he was ready to go on all five.

**Mr. Scott** replied that they are prepared to go ahead with the five.

**Mr. Kochert** wanted to make sure that all the houses would have new lines with cleanouts on each side.

**Mr. Scott** replied that was correct.

**Item #3 - Charles Murphy for Wanda Clark re: Kid's Club**

**This item will be discussed at the next meeting.**

**Item #4 - Charles Murphy for Lodgekeepers III re: sewer reimbursement**

**This item will be discussed at the next meeting.**

**Item #5 – Charles Murphy for New Washington State Bank**

**Mr. Fifer** discussed the Agreement for Sewer Easement between The New Washington State Bank and The City of New Albany and stated that it required the Mayor's signature.

**Mayor Garner** signed the agreement.

**Item #6 - Kay Garry re: separate accounts for sewer, sanitation and storm drainage**

**Ms. Garry** began explaining the claims process to the board.

**Mr. Solomon** asked Mr. Fifer and Mayor Garner about charges that are still being received from Bingham & Hale (Navigator).

**Mayor Garner** replied that Bingham & Hale is doing the work on the ADM claim.

**Mr. Solomon** asked when the board would be updated on that again.

**Mr. Fifer** stated that Mr. Dixon and he met with them on the 29<sup>th</sup> and spent a whole day with them in Indianapolis. He stated that the intent now is to reset it for mediation in September right after Labor Day and representatives from both firms would show up the evening or afternoon before the mediation to have a special meeting with this board.

**Ms. Garry** continued explaining the claims process and stated that if there is a claim that anyone may have a question about, they can give her the name of the company or the claim number and she can pull it and make copies so they can see exactly what it is for before the check goes out.

**Mr. Solomon** stated that he wants to see separate accounts for sewer, sanitation and storm drainage so there won't be any confusion about what is coming from where.

**Mr. Kochert** stated that the EPA gentleman that visited him thinks that we should have

separate accounts as well.

**Ms. Garry** explained that there are 17 accounts and went over the details of most of those accounts.

**There was a lengthy discussion of how the accounts are set up and different options for setting up separate accounts for sewer, sanitation and storm drainage.**

**Mr. Fifer** asked Ms. Garry if it would be appropriate if he had Mark McCormick contact her to try to give us advice on how much loan authority the board should set up for her to manage internally if we are going to try to set it up into separate accounts.

**Ms. Garry** replied that is fine and she doesn't mind if Ms. Welsh gets in touch with INAWC to see if we do set up another bank account, can we have them make two deposits.

**Mr. Solomon** asked what we could do to pursue the drop in revenue.

**Mr. Fifer** replied set up our own billing.

**Mr. Seabrook** stated that if there are X amount of water bills then there should be X amount of sewer bills.

**There was a lengthy discussion regarding meters that are not being billed and the ongoing discussions with INAWC.**

**Mr. Solomon** asked Mr. Fifer if he could write a letter to INAWC setting out our revenues for the past four years and inquire as to why they have dropped.

**Mr. Fifer** stated that he has had three or four telephone conversations with them in the last six months.

**Mayor Garner** explained that Ms. Welsh and he are having quarterly conference calls with INAWC to discuss issues that they find. He stated that INAWC has to go back and do research on some issues such as Appleby's because they can't figure out what happened and why they weren't being billed.

**Mr. Solomon** stated that it seems as though we are doing all of the legwork and they check into issues, whereas, he feels that they should be doing an interrogations on their own internal practices.

**Mr. Fifer** stated that when their accounting office was in Richmond, it was easier to get the information and now since it has moved to Illinois, they are not as knowledgeable. He also mentioned that they are going through another sale now so it is going to get worse before it gets better.

### **OLD BUSINESS:**

#### **Item #1 - Titon Energy, re: electrical costs savings report**

**Mr. Sartell** stated that his play on it when EMC was in charge was to go ahead and purchase it.

**Mr. Seabrook** asked if they are a big enough company that we know they will be around in five years.

**Mr. Solomon** stated that it doesn't look like much of a risk.

**Mr. Fifer** asked if Jeffersonville is having any adverse affects from using this.

**Mr. Sartell** replied no.

**The board discussed the electrical costs savings report in detail.**

**Mr. Utz** suggested tabling this item until the next meeting so that Titon can attend to answer other questions.

**Item #2 - Douglas Baldessari, Umbaugh, re: revisions to rate report**

**The board looked over and discussed in detail the emailed information from Doug Baldessari of Umbaugh.**

**Mr. Seabrook** stated that the sewer utility list of employees and city officials for 2006 doesn't match the list that was in the last packet. He wanted to be clear on who was being paid out of what fund. He also asked about Ms. Haley's salary and how it was divided between sewer and stormwater drainage.

**Mayor Garner** stated that he thinks her salary is coming from sewer only right now.

**Mr. Kochert** suggested putting her in one department or the other because the sewer department needs help anyway.

**Mr. Seabrook** stated that they cannot fit another person in their work area because they are sitting on top of each other as it is.

**There was a discussion as to where the sewer office could be set up to house more employees.**

**Mr. Seabrook motioned to split Ms. Haley's salary 50/50 between sewer and stormwater drainage, Mr. Solomon second, all voted in favor with the exception of Mr. Kochert who abstained.**

**Mr. Solomon** stated that on the Umbaugh report, if we want to present a rate increase, we need to have it well documented what employees are in the departments, what percentages of the salary are paid by the sewer board and have a capital improvements list to show what it is based on. He added that we have to a detailed report that documents everything so that five years down the road if someone wants to look at we did on a rate increase, they can look at the layout and see exactly what they did.

**Mr. Seabrook** stated that it needs to be more than names but numbers as well.

**Mr. Solomon** agreed.

**There was a lengthy discussion regarding the \$3.5 million that the city is suppose to receive on jail bonds and what portion of it may be allocated by the City Council to solve some of the sewer issues.**

**Item #3 - Wes Christmas, Clark Dietz, re: Robert E. Lee Interceptor bid award**

**It was determined to table this item until the next meeting because the bid deadline isn't until August 9<sup>th</sup>.**

**Item #4 – Hans Peterson, Donohue, re: contract amendment #4**

**Mr. Peterson** presented the amendment and explained it in detail.

**Mr. Fifer** asked if we awarded the project today, when completion would be done.

**Mr. Peterson** replied by January.

**Mr. Solomon motioned to sign the amendment, Mr. Kochert second, all voted in favor with the exception of Mr. Seabrook who abstained.**

**Mr. Seabrook** expressed that they have been asking about the Lafallotte Station basin for two years regarding where all of the water is coming from and now we are talking about that we don't have enough flow meters.

**Mr. Solomon** stated that he thinks that they have all of the flow meters placed and asked if they have retrieved any info from them yet.

**Mr. Dixon** replied that the two meters that placed on basin 4, they have not collected any data from yet.

**Mr. Solomon** added that they just needed new monitors for basin 35 if they wanted to do a reassessment of that flow data.

**Item #5 - Greg Fifer re: Georgetown Settlement**

**Mr. Fifer** acknowledged that Mr. Faith was present and stated that the settlement would be discussed in the executive session following the meeting.

**Item #6 - Paul Elling, Donohue, re: Capacity Analysis Project Status**

**Mr. Elling** stated that they are still on hold and waiting for additional information to come in. He added that some new information has been acquired as well as some mapping.

**Item #7 - Paul Elling, Donohue, re: Capacity Analysis Project contract amendments to address additional information needed in basins 35-40**

**Mr. Elling** stated that that he submitted to Mr. Dixon and the board three different copies of the master plan update for basin 35, basins 35 & 39 and basins 35 & 40. He explained the updates.

**There was a discussion of the master plan updates and it was determined by the board that since they weren't in the meeting packet, they would take copies to review and continue this item at the next meeting.**

**Mr. Seabrook** commented that they are going to go into the rate increase with the Council and if it is not more organized, more presentable and more precise than this, you may as well call the Federal Judge.

**Mr. Solomon** agreed 100% and stated that they have to the report from Umbaugh and a plan that they are all in agreement on.

**Mr. Seabrook** asked Mr. Kochert if he agreed with him.

**Mr. Kochert** replied yes.

**Item #8 – Paul Elling, Donohue, re: Bar Screen Project update**

**Mr. Elling** stated there hasn't been much update since the last meeting.

**Item #9 - Todd Solomon re: capital improvement projects**

**Mr. Solomon** stated that there are a number of things were not included in the list.

**There was a lengthy discussion regarding several of the projects on the list.**

**Mr. Solomon** stated that in addition to these things, we need to set up some kind of contingencies for unknown projects. He stated that it is hard to put a dollar amount on them but you can't just ignore them either.

**Mayor Garner** stated that if we meet the bond covenant requirement based on where we are today without a revised amortization schedule, after that bond is made annually, we will have \$1.5 million to have that reserve at that point. He suggested that is where we should look to fund those projects that come up that we don't know are coming.

### **EMC REPORT:**

#### **1. Brian Dixon re: tort claims**

**Mr. Dixon** explained the tort claim on St. Joe Road and what was done to take care of the problem. He stated that EMC recommended no claim because it was not a foreseen blockage that could be stopped and therefore feels the city was not negligent.

**Mr. Utz** stated that anytime you have sewage flowing into your house is a heck of a mess and this was the city's blockage and he doesn't see how we are not somewhat responsible.

**It was decided that this item would be discussed in the executive session immediately following the regular meeting.**

#### **2. Rob Sartell re: electrical & gas contract amendment**

**Mr. Solomon** asked Mr. Fifer if he had any recommendations.

**Mr. Fifer** stated that he thought it looked fine other than they needed to decide if it is going to be every month or twice every month.

**Mr. Solomon** asked about the figure 620 and requested documentation on how they came up with that. He also requested information on the calculation of the refund amount of \$122,175.00. He wanted to add a statement to the first paragraph under electricity and natural which would read that each year in April this benchmark will be evaluated and adjusted if necessary. He then requested that they continue to provide the spreadsheet each month.

**Mr. Solomon motioned to approve with the amendment that the two attachments be added and that the benchmark be reevaluated each April, Mr. Utz second, all voted in favor.**

#### **3. Brian Dixon re: basin 35 bolt down manhole evaluation**

**Mr. Dixon** stated that he went out and checked the surrounding area and the people that are served in that immediate area. He explained that the Schuler-Bauer building does have service pumped up to it and are the first ones that would be affected in the area but he couldn't tell if anyone else would be affected prior to that or when they would be affected because there would be only so much before the next pressure point upstream or downstream.

**Mr. Solomon** asked is Renaissance could go out and take a look at the contours in the area and kind of assess where the lows are.

**Mr. Dixon** replied that on the models they have elevations of the manholes themselves and asked Mr. Solomon if he was talking about the residences.

**Mr. Solomon** replied yes and asked if they could just get some basement shots of some of the vulnerable customers.

**There was a lengthy discussion of basin 35 and how to resolve the issues at hand in this area.**

**EMC REPORT:**

**CLAIMS:**

**Mr. Dixon presented the following claims:**

City of New Albany WWTP RAW Wastewater Pump Station Screening

**MAC Construction**

Original Contract	\$724,900.00
Change Order #1	\$1,304.43
New Contract Total	\$726,204.43
Pay Request #5	(\$99,379.43)
Pay request #4	(\$163,004.60)
Pay request #3	(\$83,857.50)
Pay request #2	(\$121,158.90)
Pay Request #1	(\$83,857.50)
Remaining Balance	\$174,946.50

**Clark Dietz Engineers**

Invoice No. 39320	\$12,100.00
Invoice No. 39322	\$2,000.00
Invoice No. 39321	\$12,150.00

**Donohue & Associates**

Invoice No. 10959-04	\$6,644.36
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**Mr. Dixon** also presented an invoice for Melhiser, Endres & Tucker in the amount of \$2,216.00 for January thru May, 2006.

**Mr. Solomon motioned to approve all invoices including the one for Melhiser, Endres & Tucker, Mr. Utz second, all voted in favor.**

**ADJOURNMENT:**

There being no further business before the Sewer Board, the meeting adjourned at 6:14 p.m.

Respectfully submitted,

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Mayor James Garner, Chairman

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Vicki S. Glotzbach, Deputy City Clerk